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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. CR 09-0218 SI
)	
Plaintiff,)	
)	
v.)	[PROPOSED] ORDER AND
)	STIPULATION EXCLUDING TIME
MONTE NOTTINGHAM,)	FROM MARCH 20, 2009 TO APRIL 17,
)	2009
Defendant.)	
)	

The parties appeared before the Honorable Susan Illston on March 20, 2009. With the agreement of counsel for both parties, the Court found and held as follows:

1. The parties agree to an exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, from March 20, 2009 to April 17, 2009, in light of in light of defense counsel's need to review discovery. Failure to grant the requested continuance would deny defense counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the need for counsel to review the discovery with the defendant.

2. Given these circumstances, the Court found that the ends of justice served by

**[PROPOSED] ORDER AND
STIPULATION EXCLUDING TIME
CR 09-00218 SI**

1 excluding the period from March 20, 2009 to April 17, 2009, outweigh the best interest of the
 2 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

3 3. Accordingly, and with the consent of the defendant, the Court ordered that the period
 4 from March 20, 2009 to April 17, 2009, be excluded from Speedy Trial Act calculations under
 5 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

6 **SPEEDY TRIAL ACT IMPLICATIONS**

7 Pursuant to 18 U.S.C. § 3161, and Crim. Loc. Rule 47-2(c), there are sixty-two
 8 (62) days remaining before the trial in this case must commence. Taking the stipulated
 9 time exclusion from Friday, March 20 through Friday, April 24, 2009 into account, the
 10 “speedy trial” date for this matter is June 5, 2009.

11 IT IS SO STIPULATED.

12 DATED: March 24, 2009


13 /s/
 14 BARRY PORTMAN
 Counsel for Monte Nottingham

15 DATED: March 24, 2009

16 /s/
 17 JEANE HAMILTON
 Special Assistant United States Attorney

18 IT IS SO ORDERED.

19 DATED: _____

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 21 THE HON. SUSAN ILLSTON
 22 United States District Court Judge
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